

“AI will not eliminate the need for lawyers, but it does portend the end of lawyering as we know it.”

ANDREW PERLMAN

AI's increasing capabilities will soon disrupt various industries, including legal services. Among many other possible use cases, [law firms could use their own legal documents to train a proprietary instance of an AI tool](#). ((Describing use cases where law firms “train and run individual models [and] create their own set of form.”)) Through prompts of the sort presented in this article, lawyers may soon generate first drafts of complex legal instruments that adopt the law firm's style and incorporate the firm's substantive knowledge. It is difficult to anticipate how these tools will impact lawyers' employment prospects, but one prediction is somewhat easier to make: lawyers will soon need to use these new tools if they hope to remain competitive.

Law schools will face numerous related questions and challenges. In the short term, they will have to grapple with how to assess student performance on take-home exams and papers [now that students have easy access to AI tools](#). Looking further ahead, law schools will probably have to incorporate these tools into the curriculum in much the same way as they have taught students how to use electronic research tools. For example, first-year legal writing classes and clinical programs may need to teach AI document drafting so that future lawyers understand how to use the technology in practice. At my law school (Suffolk Law), we have demonstrated ChatGPT's capabilities to the faculty and have encouraged them to consider not just the threats from these tools but the extent to which we should be actively teaching students how to use them.

AI will not eliminate the need for lawyers, but it does portend the end of lawyering as we know it. Many clients, especially those facing complex issues, will still need lawyers to offer expertise, judgment, and counsel, but those lawyers will increasingly need AI tools to deliver those services efficiently and effectively. In fact, these tools are likely to become so valuable that lawyers may need them in certain contexts to satisfy their duty of competence, just as we would question the competence of a lawyer who Shepardizes citations using only books or prepares a legal document on a typewriter (for more on professional conduct, see SUPPORTING B). In other words, clients will not want stand-alone lawyers who eschew AI; conversely, clients with challenging legal matters are unlikely to rely on technology by itself. The future, at least for complex legal issues, will require the use of tech-enhanced lawyers.

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Less complex legal matters may see an even more dramatic shift, with AI tools helping to address the public's enormous unmet civil legal needs. Nearly 90% of people living below the poverty line and a majority of middle-income Americans receive no meaningful assistance when facing important civil legal issues,⁴ such as child custody, debt collection, eviction, and foreclosure. Many factors contribute to these and related problems, but the cumulative effect is a legal system that is among the most costly and inaccessible in the world.⁵ Technology offers a promising way to address those needs, both through self-help resources and by enabling lawyers to reach far more clients than is currently possible.

In addition to these developments, a wide range of regulatory concerns will undoubtedly arise from AI's use in the legal industry, including issues of unauthorized practice. Some of these concerns will reflect protectionist impulses, but the widespread use of AI tools in legal services would raise fair questions about algorithmic bias and consumer protection.

The issues facing the legal industry and legal education are illustrative of the broader implications of AI for society more generally and knowledge workers particularly. Tools like ChatGPT may transform our world in ways that could be at least as important as the advent of the internet. The internet, of course, has been used in both positive and negative ways, and AI tools have the same potential. For example, in my own experience with Bing Chat, it produced troubling responses that expose the ways in which AI could be used to manipulate people's emotions and behaviors.

Of course, as numerous people have noted in jest, “predictions are difficult, especially about the future.” That said, it is becoming increasingly clear that AI tools like ChatGPT are going to have a substantial impact on our lives. We need to find ways to adapt to these developments because (to quote another figure, though fictional) resistance is futile.

Andrew Perlman is dean and professor of law at Suffolk University Law School.

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director of Harvard's Center on the Legal Profession, and Dana Walters, associate editor of The Practice, for suggesting various topics that are addressed in the preface.

Footnotes

1. Yes I agree. [👍]
2. Bing Chat regularly uses emojis. [👍]
3. So-called prompt engineering is likely to become increasingly important in various professional settings. [👍]
4. Regularly cited contributing factors include the procedural complexity of the U.S. court system, the limited access to legal services, the absence of a government-recognized right to legal assistance in most essential legal matters, the legal profession's monopoly over the delivery of legal services, the prohibition against lawyers partnering with other kinds of professionals, and the cost of legal education. [👍]
5. The World Justice Project ranks the United States 115th out of 140 countries with regard to the accessibility of legal services. WJP Rule of Law Index 2022, Factor 7.1, <https://worldjusticeproject.org/rule-of-law-index/country/2022/United%20States/Civil%20Justice>. [👍]



AI & FUTURE TECHNOLOGIES

New report on ChatGPT & generative AI in law firms shows opportunities abound, even as concerns persist

17 Apr 2023 · 5 minute read

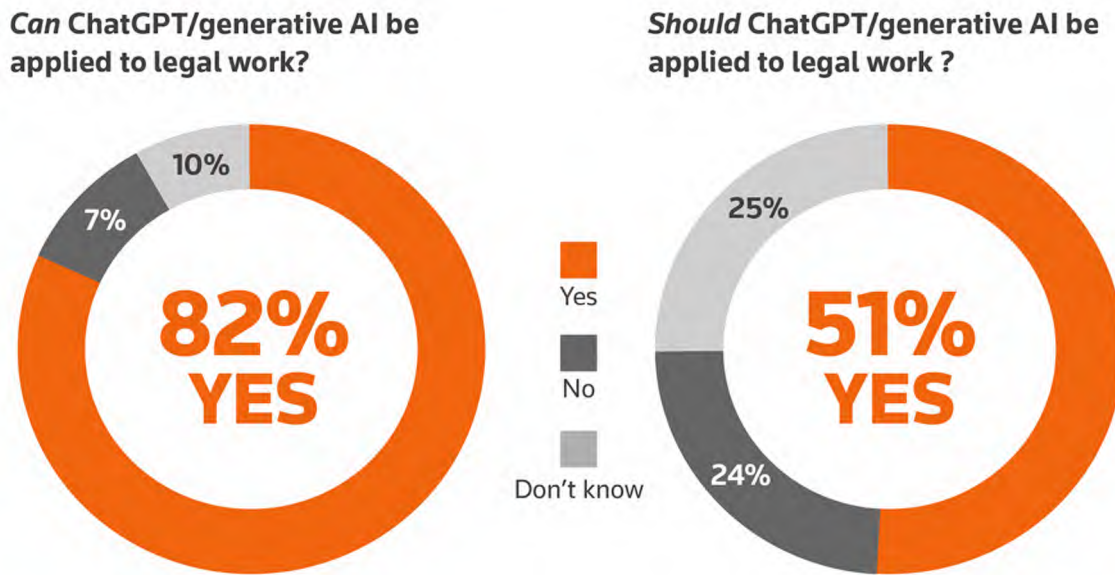
A new report discusses the evolving attitudes towards the use of generative AI and ChatGPT within law firms, surveying lawyers about the opportunities and potential risks

It didn't take long after OpenAI released its ChatGPT prototype for public use — shedding light on the myriad abilities that its underlying technology, generative artificial intelligence (AI), possessed — that many lawyers and legal industry experts became keenly aware of what these tools could mean for the profession and for law firms in particular.

Not surprisingly, strong opinions arose, not only about the potential sea-change in the delivery, pricing, and execution of legal services that the wider use of generative AI could bring, but also about the unknown risks that such usage could pose.

In fact, a recent survey of law firm lawyers illustrated this dichotomy well — a large majority (82%) of those surveyed said they believe that ChatGPT and generative AI *can* be readily applied to legal work; and slightly smaller majority (51%) said that ChatGPT and generative AI *should* be applied to legal work.

Figure 1: **Attitudes towards ChatGPT and Generative AI for legal work**



Source: Thomson Reuters 2023

The survey, conducted in late-March by the Thomson Reuters Institute, gathered insight from more than 440 respondent lawyers at large and midsize law firms in the United States, United Kingdom, and Canada. The survey forms the basis of a new report, *ChatGPT & Generative AI within Law Firms*, which takes a deep look at the evolving attitudes towards generative AI and ChatGPT within law firms, measuring awareness and adoption of the technology as well as lawyers' views on its potential risks.

The report also reveals several key findings that deserve special attention from law firm leaders and other legal professionals as ChatGPT and generative AI evolve from concept to reality for the vast majority of the legal industry participants. These findings include:

- **Attitudes are evolving around this technology** — While almost everybody we surveyed had heard of ChatGPT and generative AI, actual use among law firms thus far was quite limited, with just 3% of respondents saying they are actually using generative AI right now. Of course, a much larger portion (34%) said their firm was still considering whether or not to use generative AI for legal operations.
- **Firms are taking a cautiously proactive approach** — About 15% of respondents said their firms have warned employees against unauthorized generative AI use at work, and 6% said their firms have banned unauthorized usage outright, indicating that many lawyers clearly understand the importance of applying guardrails to generative AI use. In fact, all those interviewed noted that they do not fully trust generative AI tools — and particularly the public-facing ChatGPT tool — with confidential client data. Yet, even as this mistrust exists, our research shows that attitudes are changing, and potential use cases are being explored by many law firms.
- **There's a growing awareness of the risks** — A large portion of respondents had concerns with use of ChatGPT and generative AI at work — 62%, which included 80% of partners or managing

partners. Further, many of the concerns voiced in our survey seemed to revolve around the technology's accuracy and security, most specifically about how law firms' concerns of privacy and client confidentiality will be addressed. Still, many legal industry observers (and many of our respondents) know that by any measure, we are still early in the game for generative AI and ChatGPTs. It is expected that time and experimentation will make users more comfortable with these tools, and a day will come when generative AI and ChatGPT is in as common use within law firms as online legal research and electronic contract signing are now.

Yet, whichever side of the debate over this fledgling technology a lawyer might find themselves, one idea the report makes clear — whatever the level of use of ChatGPT and generative AI eventually reaches among law firms and throughout legal, this technology has the potential to change the industry. And even in its infancy, the growing acceptance of ChatGPT and generative AI is being seen as a watershed moment.

"Within the next six months everybody at the firm will be using it," said Charlotte Woolven-Brown, Head of Employment and a Partner at law firm Sternberg Reed in the United Kingdom. "And there's absolutely no way you're going to stop that, because people will get more in tune with what's happening and how quickly this technology is developing."

You can download a copy of the Thomson Reuters Institute's new report, *ChatGPT & Generative AI within Law Firms*, by filling out the form below:

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Harvey AI: What We Know So Far

Written by [Kate Rattray](#)

🕒 4 minutes well spent

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Have you met Harvey (AI)?

Every week, another AI tool seems poised to take the legal profession by storm—[Harvey AI](#), described as “unprecedented legal AI”, is yet another exciting offering in law firm AI.

And with a recent investment from Open.AI, the creator of [ChatGPT](#), many are wondering what this technology

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What does Harvey AI do?

Amongst all these exciting developments, you might be wondering: what does Harvey AI do?

Like [ChatGPT](#), Harvey AI is built on a version of Open.AI's GPT AI. Unlike ChatGPT, Harvey AI supports legal work. How? Starting with general internet data from the GPT model, Harvey AI was [further trained](#) with general legal data (including case law and reference materials). When engaged by a firm, Harvey AI is then trained by the firm's own work products and templates (much like a new employee's onboarding when joining a law firm!).

Harvey AI assists with contract analysis, due diligence, litigation, and regulatory compliance and can help generate insights, recommendations, and predictions based on data. As a result, lawyers can deliver faster and more cost-effective solutions for client issues.

The Open.AI startup fund

In December 2022, Open.AI—an artificial intelligence research and development company creating “highly autonomous systems that outperform humans at most economically valuable work”—announced the first four investments from its [Open.AI Startup Fund](#).

The Open.AI Startup Fund intends to invest \$100 million in small, early-stage AI startups “to help AI companies have a profound, positive impact on the world.”



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- [Will ChatGPT Replace Lawyers?](#)
- [AI in Law: Transforming Legal Practices](#)
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Harvey AI was among the Open.AI Startup Fund's first four investments, receiving \$5 million from the fund. While Harvey AI's website provides minimal information about the product's offerings, Open.AI describes "an intuitive interface for all legal workflows through powerful generative language models." The program assists lawyers with research, drafting, analysis, and communication by harnessing AI capabilities.

And, in April of 2023, Harvey AI [raised \\$21 million in Series A funding](#) led by Sequoia Capital, further bolstering their growth.

Harvey AI partners with a major law firm

In February 2023, Allen & Overy, one of the world's largest law firms, [announced its partnership with Harvey AI](#). Since November 2022, the London-based law firm reported that over 3,500 of their lawyers have already tested Harvey AI by asking 40,000 questions during their day-to-day work.

The results sound promising. As David Wakeling, the head of Allen & Overy's Markets Innovation Group said: "...I have never seen anything like Harvey ... Harvey can work in multiple languages and across diverse practice areas, delivering unprecedented efficiency and intelligence. In our trial, we saw some amazing results."

While Allen & Overy is the first law firm to partner with Harvey AI, it won't be the last. Harvey AI is working with other law firms to [develop custom tools](#) and, on March 15, 2023, PwC [announced a strategic partnership](#) with Harvey AI.



How AI can help firms (and their clients)

The potential benefits of legal AI like Harvey are clear: using AI to assist with research, drafting, and other routine legal tasks could help save law firms time—and cut down on their clients' bills.

Technology plays a critical part in law firm success. For example, as we noted in the [2022 Legal Trends Report](#), lawyers using cloud-based legal practice management software were more likely to report:

- Greater satisfaction in their personal and professional lives
- Better relationships with clients and colleagues
- Good performance in their jobs

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These statistics suggest AI, like legal practice management software, offers benefits to modern law firms—by streamlining tasks and cutting down on response times, lawyers can minimize the time spent on routine tasks while providing a high level of service to clients.

Risks associated with artificial intelligence

Despite the excitement surrounding AI, we also know AI isn't a complete replacement for a lawyer's experience and wisdom. Harvey AI is [still in beta](#). As we've previously mentioned, programs like ChatGPT have been known to [provide incorrect information](#)—to say nothing of the ethical considerations involved, along with [security](#), [client privacy](#), and privilege issues arising through transmitting sensitive information.

If you're considering AI tools for your law firm, be sure to consult your state's Rules of Professional Conduct and vet prospective AI vendors carefully. Once you've settled on a particular tool, it's essential to use AI responsibly.

Remember: AI is not a replacement for a lawyer's experience and wisdom, and any responses and work products should be checked carefully.

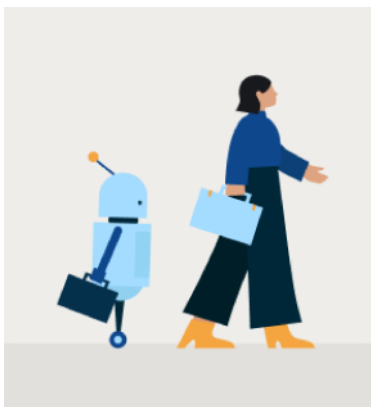
Final notes on Harvey AI

It's an exciting time to be a lawyer—with so many AI advancements standing ready to change how we work, the possibilities seem endless. On the flip side, with new options arising, it's never been more crucial to think critically about embracing technology responsibly to amplify your impact.

If you're eager to learn more about the impact of AI on the legal industry, be sure to secure your spot at [ClioCon 2023](#), where we'll be covering, among other things, ChatGPT, artificial intelligence, and the future of law.

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Categorized in: [Technology](#)



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